

06-97-00

A. R. R. R.

06/26/00
 10839 U.S. PTO

Please type a plus sign (+) inside this box ☐

Attorney Docket P1761R1

PATENT

CERTIFICATION UNDER 37 CFR 1.10

EK756472708US: Express Mail Number

June 26, 2000: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Diane L. Marschang
 Diane L. Marschang

10839 U.S. PTO
 09/603866
 06/26/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
 Assistant Commissioner of Patents
 Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA
 Sarah Hymowitz, San Francisco, CA
 Robert F. Kelley, San Bruno, CA
 Iphegeni Koumenis, Palo Alto, CA
 Susan Leung, San Mateo, CA
 Mark O'Connell, San Francisco, CA
 Roger Pai, Los Altos, CA
 Zahra Shahrokh, San Francisco, CA
 Laura Simmons, Burlingame, CA

Title: **Methods for Making Apo-2 Ligand using Divalent Metal Ions****1. Type of Application**

- [] This application is for an original, non-provisional application.
- [X] This is a non-provisional application claiming priority to provisional application no. 60/141,342, filed June 28, 1999, the entire disclosure of which is hereby incorporated by reference.
- [] This is a [] continuation-in-part [] continuation [] divisional application claiming priority to application Serial Number , filed , the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

64 pages of specification
3 pages of claims

1 page(s) of abstract
15 sheet(s) of drawings
[] formal [X] informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
X An executed declaration of the inventor(s) [] is enclosed [X] will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
___ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
___ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
X An Assignment of the invention enclosed with attached Recordation Form Cover Sheet will follow.

(for cont./div.)
___ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

___ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

___ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

X Amend the specification by inserting before the first line the sentence:

--This is a

___ non-provisional application
___ continuation
___ divisional
___ continuation-in-part

of co-pending application(s)

___ Serial No. _ filed on __, which application(s) is(are) incorporated herein by reference and to

- _____ which application(s) priority is claimed under 35 USC §120. --
 _____ International Application _ filed on _ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--
 _____ provisional application No. __, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$690.00
Total Claims	58	- 20 =	38	X \$18.00	\$684.00
Independent Claims	12	- 3 =	9	X \$78.00	\$702.00
_____ Multiple dependent claim(s), if any				+ \$260.00	\$0.00
Filing Fee Calculation					\$2,076.00

7. Method of Payment of Fees

- X The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$2076.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

- X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
☒ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
☐ A new Power of Attorney or authorization of agent.
☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
 _____ A copy of the petition for extension of time in the **prior** application

is attached.

11. Correspondence Address:

X Address all future communications to:

GENENTECH, INC.
Attn: Diane L. Marschang
1 DNA Way
South San Francisco, CA 94080-4990
(650) 225-5416

Respectfully submitted,
GENENTECH, INC.

Date: June 26, 2000

By: *Diane L. Marschang*
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